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HOUSE BILL 814

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

JAMES G. TAYLOR

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING PROVISIONS REGARDING  
LICENSING OF MINORS; AMENDING SECTIONS OF THE NMSA 1978;  
DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-5-9 NMSA 1978 (being Laws 1978,  
Chapter 35, Section 231, as amended) is amended to read:

"66-5-9. APPLICATION FOR LICENSE, TEMPORARY LICENSE OR  
INSTRUCTION PERMIT. --

A. Every application for an instruction permit or  
for a driver's license shall be made upon a form furnished by  
the department. Every application shall be accompanied by the  
proper fee. For permits or driver's licenses other than those  
issued pursuant to the New Mexico Commercial Driver's License  
Act, submission of a complete application with payment of the

Underscored material = new  
[bracketed material] = delete

1 fee entitles the applicant to not more than three attempts to  
2 pass the examination within a period of six months from the date  
3 of application.

4 B. Every application shall contain the full name,  
5 social security number, date of birth, sex and New Mexico  
6 residence address of the applicant and briefly describe the  
7 applicant and indicate whether the applicant has previously been  
8 licensed as a driver and, if so, when and by what state or  
9 country and whether any such license has ever been suspended or  
10 revoked or whether an application has ever been refused and, if  
11 so, the date of and reason for the suspension, revocation or  
12 refusal.

13 C. Every applicant shall indicate whether he has  
14 been convicted of driving while under the influence of  
15 intoxicating liquor or drugs in this state or in any other  
16 jurisdiction. Failure to disclose any such conviction prevents  
17 the issuance of a driver's license, temporary license or  
18 instruction permit for a period of one year if the failure to  
19 disclose is discovered by the department prior to issuance. If  
20 the nondisclosure is discovered by the department subsequent to  
21 issuance, the department shall revoke the driver's license,  
22 temporary license or instruction permit for a period of one  
23 year. Intentional and willful failure to disclose, as required  
24 in this subsection, is a misdemeanor.

25 D. An applicant between the ages of eighteen and

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1 twenty-two years shall produce for the purposes of  
2 identification and verification of his age:  
3 (1) his birth certificate or passport; and  
4 (2) identification containing a picture of the  
5 applicant when possible; a parent or former legal guardian who  
6 can verify the identity and age of the applicant; or three  
7 separate sources of verification of his identity such as current  
8 income tax returns, current bank statements, current employment  
9 pay stubs or other similar information. A library card or other  
10 easily obtainable identification shall not be considered  
11 adequate. The department shall maintain a record in the file of  
12 the applicant of the information used to verify his identity and  
13 age.

14 ~~[D.]~~ E. Every applicant less than eighteen years of  
15 age who is making an application to be granted his first New  
16 Mexico driver's license shall submit evidence that he has  
17 successfully completed a driver education course that included a  
18 DWI prevention and education program approved by the bureau or  
19 offered by a public school. The bureau may accept verification  
20 of driver education course completion from another state if the  
21 driver education course substantially meets the requirements of  
22 the bureau for a course offered in New Mexico.

23 ~~[E.]~~ F. Every applicant eighteen years of age and  
24 over, but less than forty-five years of age, who is making an  
25 application to be granted his first New Mexico driver's license,

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1 shall submit evidence with his application that he has  
2 successfully completed a bureau-approved DWI prevention and  
3 education program.

4 [F.-] G. Every applicant forty-five years of age and  
5 over, who has not been previously licensed in other  
6 jurisdictions for a cumulative total of more than ten years or  
7 who has been convicted of driving under the influence of  
8 intoxicating liquor or drugs, and who is making an application  
9 to be granted his first New Mexico driver's license, shall  
10 submit evidence with his application that he has successfully  
11 completed a bureau-approved DWI prevention and education  
12 program.

13 [G.-] H. Whenever application is received from a  
14 person previously licensed in another jurisdiction, the  
15 department may request a copy of the driver's record from the  
16 other jurisdiction. When received, the driver's record may  
17 become a part of the driver's record in this state with the same  
18 effect as though entered on the driver's record in this state in  
19 the original instance.

20 [H.-] I. Whenever the department receives a request  
21 for a driver's record from another licensing jurisdiction, the  
22 record shall be forwarded without charge.

23 [I.-] J. This section does not apply to driver's  
24 licenses issued pursuant to the New Mexico Commercial Driver's  
25 License Act. "

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[bracketed material] = delete

1           Section 2. Section 66-5-21 NMSA 1978 (being Laws 1978,  
2 Chapter 35, Section 243, as amended) is amended to read:

3           "66-5-21. EXPIRATION OF LICENSE--FOUR-YEAR ISSUANCE  
4 PERIOD.--

5           A. A driver's license for a person less than twenty-  
6 two years of age shall be issued for a period of one year. To  
7 renew his driver's license, an applicant under the age of  
8 twenty-two years shall produce his expiring driver's license, a  
9 birth certificate and one other form of identification  
10 containing a photographic likeness of the applicant. If no  
11 photographic identification is available and the applicant is  
12 eighteen years of age or over, the applicant shall produce no  
13 fewer than three additional pieces of identification as required  
14 in his initial application or a parent or former legal guardian  
15 who can verify the age and identity of the applicant. The  
16 department shall maintain a record in the file of the applicant  
17 of the information used to verify his identity and age. At each  
18 renewal, a new photograph shall be taken for the purposes of the  
19 license.

20           B. All driver's licenses for persons twenty-two  
21 years of age and older shall be issued for a period of four  
22 years, except those provided for in Section 66-5-19 NMSA 1978  
23 and as otherwise provided in Section 66-5-67 NMSA 1978. [and]

24           C. Each license shall expire thirty days after the  
25 applicant's birthday in the [fourth] year [after the effective

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